

Drawing Amendments

The attached sheet of drawings includes changes to the Figure of the drawing. This sheet which includes the Figure of the drawing, replaces the original sheet including the Figure of the drawing. In the Figure of the drawing, previously omitted element(s) "14", "20", and "22" were added and elements "26" and "Fig. 1" were deleted.

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of the Figure of the drawing. A formal "Replacement Sheet" of the amended Figure of the drawing is also enclosed.

Attachments: Replacement Sheet
Annotated Sheet Showing Changes

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-7 remain in the application. Claims 1-7 have been amended. Claims 8 and 11-16 are being cancelled herewith. Claims 9 and 10 were previously cancelled.

In item 1 on page 2 of the above-identified Office action, the drawings are objected to because the legend "Figure 1" must be removed from the drawing. The legend "Figure 1" has been deleted from the drawing. Therefore, the objection to the drawing by the Examiner has been overcome. .

More specifically, the Examiner has stated that the reference symbols 14, 20, and 22 mentioned in the specification are not shown in the drawings.

More specifically, the Examiner has stated that the reference symbols 14, 20, and 22 mentioned in the specification are not shown in the drawings. As noted above, reference symbols 14, 20, and 22 have been added. Therefore, the objection to the drawings by the Examiner have been overcome.

2004P03943 - Application No. 10/587,506
Response to Office action January 21, 2009
Response submitted April 21, 2009

In item 3 on page 2 of the above-identified Office action, claim 6 has been objected to because of the following informalities.

The Examiner stated that the claim needs to end with a period. The claim has been amended as suggested by the Examiner. Therefore, the objection to claim 6 by the Examiner has been overcome.

Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In item 5 on page 3 of the Office action, claims 1, 3, 4, 7, and 8 have been rejected as being fully anticipated by Schlecht et al. (U.S. Patent No. 5,605,174) (hereinafter "Schlecht") under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the

reasons set forth below. Support for the changes is found in claim 8 of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

In a pulsed spallation target, a window comprising a solid/liquid interface having a liquid facing surface, the surface having smooth and non-smooth structures, the non-smooth structures disposed for maintaining gas bubbles proximate to the surface.

Schlecht discloses a conveyor for thick substances containing a great deal of solids. A conveyor pipe is filled with the thick substances under pressure and at least one injection point opens into the conveyor pipe to supply a lubricant to the region between the pipe wall and the surface of a plug flow of thick substance in the conveyor pipe. Schlecht does not disclose with a window in a pulse spallation target nor is the disclosure related to the subject of minimizing mechanical stress to the surface due to cavitation.

The reference does not show in a pulsed spallation target, a window comprising a solid/liquid interface having a liquid facing surface, the surface having smooth and non-smooth structures, the non-smooth structures disposed for maintaining gas bubbles proximate to the surface, as recited in claim 1 of the instant application. Schlecht discloses a conveyor pipe. Schlecht does not disclose with a window in a pulse spallation target. This is contrary to the present invention as claimed, which recites in a pulsed spallation target, a window comprising a solid/liquid interface having a liquid facing surface, the surface having smooth and non-smooth structures, the non-smooth structures disposed for maintaining gas bubbles proximate to the surface.

Since claim 1 is allowable over Schlecht, claims 3, 4, and 7 are allowable over Schlecht as well.

In item 6 on page 4 of the Office action, claims 1-8, 11, 12, and 14-16 have been rejected as being fully anticipated by Fulton (U.S. Patent No. 3,827,388) under 35 U.S.C. § 102.

Fulton does not disclose anything beyond the discussion in the introduction of the present invention. Fulton discloses that an elongated water borne vessel includes a series of upwardly rising steps extending from the full depth at the ship

rearwardly to just below the water line proximate to the stern. Therefore, Fulton does not disclose a window in a pulsed spallation target nor is Fulton related to the subject of minimizing mechanical stress to the surface due to cavitation.

The reference does not show in a pulsed spallation target, a window comprising a solid/liquid interface having a liquid facing surface, the surface having smooth and non-smooth structures, the non-smooth structures disposed for maintaining gas bubbles proximate to the surface, as recited in claim 1 of the instant application. Fulton discloses a hull construction for a ship. Fulton does not disclose with a window in a pulse spallation target. This is contrary to the present invention as claimed, which recites in a pulsed spallation target, a window comprising a solid/liquid interface having a liquid facing surface, the surface having smooth and non-smooth structures, the non-smooth structures disposed for maintaining gas bubbles proximate to the surface.

Since claim 1 is allowable over Fulton, claims 2-7 are allowable over Fulton as well.

In item 7 on page 5 of the Office action, claims 1-8 and 11-16 have been rejected as being fully anticipated by Petrov et al.

(U.S. Patent No. 3,659,542) (hereinafter "Petrov") under 35
U.S.C. § 102.

Petrov does not disclose anything beyond the discussion of the prior art discussed in the introduction of the present invention. Petrov discloses a craft in which the bottom between the board keels is provided with steps located at a definite distance one from another and forming a stable air-cushion under the bottom of the craft. Therefore, Petrov does not disclose a window in a pulse spallation target nor is the disclosure related to the subject of minimizing mechanical stress to the surface due to cavitation.

The reference does not show in a pulsed spallation target, a window comprising a solid/liquid interface having a liquid facing surface, the surface having smooth and non-smooth structures, the non-smooth structures disposed for maintaining gas bubbles proximate to the surface, as recited in claim 1 of the instant application. Petrov discloses a hull construction for a ship. Petrov does not disclose with a window in a pulse spallation target. This is contrary to the present invention as claimed, which recites in a pulsed spallation target, a window comprising a solid/liquid interface having a liquid facing surface, the surface having smooth and non-smooth

structures, the non-smooth structures disposed for maintaining gas bubbles proximate to the surface.

Since claim 1 is allowable over Petrov, claims 2-7 are allowable over Petrov as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-7 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

2004P03943 - Application No. 10/587,506
Response to Office action January 21, 2009
Response submitted April 21, 2009

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Stemmer LLP, No. 12-1099.

Respectfully submitted,

/Alfred K. Dassler/

Alfred K. Dassler
Reg. No.: 52,794

AKD:sa

April 21, 2009

Lerner Greenberg Stemmer LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101